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**INTELLECTUAL PROPERTY LAW**  
 Patents-Copyrights-Trademarks

Joel D. Skinner, Jr. \*+‡  
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May 8, 2008

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Re: US PATENT APPLICATION  
 Title: IMAGE PROCESSING  
 Application No. (US): 10/551,290  
 Filing Date (US): 09/28/2005  
 Priority Date:  
 Attorney Docket No.: ARD132USA

Dear Sir:

Responsive to the Decision on Petition Under 37 CFR 1.181 received May 5, 2008, enclosed are:

- A copy of the Decision on Petition Under 37 CFR 1.181.
- An executed Declaration and Power of Attorney.
- A Credit Card Payment Form in the amount of \$65.00 for the surcharge required
- A return receipt postcard.
- A certificate of mailing (below).

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time under 37 CFR 1.136(a), provided a Petition is not submitted separately.

Please charge any fee due not paid by a check or credit card authorization provided herewith, and/or charge any underpayment in any fee, and/or credit any overpayment in fee, to Deposit Account No. 19-2381.

CERTIFICATE OF MAILING

Date of Deposit: 5-13-08. I hereby certify that this paper/fee is being deposited with the United States Postal Service on the date indicated above, and is addressed to the Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450.

Jo Rendell  
 Name  
Jo Rendell  
 Signature

Respectfully submitted,

  
\_\_\_\_\_  
Joel D. Skinner, Jr.  
Reg. No. 33,786

**Enclosures**

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

SKINNER AND ASSOCIATES  
212 Commercial Street  
Hudson, WI 54016

In re Application of :  
JUPE, John : DECISION  
Application No.: 10/551,290 :  
PCT No.: PCT/GB2004/001262 :  
Int. Filing Date: 25 March 2004 : ON PETITION UNDER  
Priority Date: 29 March 2003 :  
Docket No.: ARD132USA : 37 CFR 1.181  
For: IMAGE PROCESSING :

This decision is in response to applicant's petition to withdraw the holding of abandonment, under 37 CFR 1.181, filed in the United States Patent and Trademark Office on 19 February 2008.

**BACKGROUND**

On 04 February 2008, the Office mailed Decision On Petition, dismissing applicant's petition without prejudice.

On 19 February 2008, applicant filed this renewed petition under 37 CFR 1.181.

**DISCUSSION**

The showing required to establish nonreceipt of an Office communication is set forth in the notice entitled *Withdrawing the Holding of Abandonment When Office Actions Are Not Received*, 1156 O.G. 53 (Nov. 16, 1993). The showing must include: (1) a statement by the practitioner that the Office action was not received by the practitioner; (2) a statement attesting that a search of the file jacket and docket records indicates that the Office action was not received; and (3) a copy of the docket record where the non-received Office action would have been entered had it been received (the docket record must also be referenced in practitioner's statement).

Items (1) and (2) were previously satisfied. Item (3) has now been satisfied.

**CONCLUSION**

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 15 November 2007 is **VACATED**.

Applicant is required to supply an oath or declaration of the inventors and the surcharge for late filing of the search fee, examination fee or oath or declaration within TWO (2) MONTHS from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter may be filed electronically via EFS-Web or if mailed, should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal

RECEIVED  
MAY 05 2008

BY: -----

Application No. 10/551,290

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Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Erin P. Thomson/

Erin P. Thomson  
Attorney Advisor  
PCT Legal Administration

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